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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: LEROY4

In re Application of:)	Conf. No.: 5768
LEROY et al.)	Art Unit:
Appln. No.: 10/585,097)	Examiner:
Filed: June 30, 2006)	Washington, D.C.
For: CONTROL OF DATA ACCESS)	July 14, 2011
)	
)	

REQUEST FOR SMALL ENTITY STATUS ERROR TO BE EXCUSED

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the present application, status as a small entity was established in good faith and fees as a small entity were paid in good faith. It has recently been discovered that the entity status changed as of September 2009, and that the fee paid on June 9, 2010, was inadvertently paid as a small entity. Pursuant to 37 C.F.R. §1.28(c), it is requested that this error be excused as the present communication is in compliance with the separate submission and itemization requirements of paragraphs (c)(1) and (c)(2) of 37 C.F.R. §1.28.

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555.00 OP

In re of Appln. No. 10/585,097

Attached hereto is a form PTO-2038 authorizing the additional charges of \$555.00, which satisfies the deficiency payment requirement as per the following itemization.

The following itemization of the total deficiency payment is provided:

Type of Fee	Current Fee for Non-Small Entity	Small Entity Actually Paid	Date of Payment	Deficiency Owed Amount
Three months' extension	\$1,110.00	\$555.00	6/9/2011	\$555.00
		Total Owed		\$555.00

As all of the requirements of 37 C.F.R. §1.28(c) have been complied with, it is requested that this deficiency payment be accepted and that the errors in small entity status previously made be excused.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

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